



U.S. Department of Justice

Antitrust Division

*Liberty Square Building
450 5th Street, N.W.
Washington, DC 20530*

January 28, 2025

VIA ECF

Honorable Leda Dunn Wettre, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King Jr. Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: *United States of America, et al. v. Apple Inc.*, No. 2:24-cv-04055 (JXN-LDW)
Joint Letter Requesting Entry of the [Proposed] Discovery Confidentiality
Order and the [Proposed] Stipulated Protective Order Governing Review,
Production, and Handling of Source Code in This Action**

Dear Judge Wettre:

Plaintiffs and Defendant respectfully submit this joint letter seeking entry of (1) the [Proposed] Discovery Confidentiality Order (attached hereto as Exhibit A) and (2) the [Proposed] Stipulated Protective Order Governing Review, Production, and Handling of Source Code in this Action ("Source Code Protocol" attached hereto as Exhibit B).

Following the Court's guidance at the hearing on October 10, 2024, the Parties and Non-Party Intervenors worked together to address and resolve the outstanding issues on both proposed orders. For the Discovery Confidentiality Order, the Parties and Non-Party Intervenors have agreed to language governing tiers of disclosure, and the Parties have agreed to language concerning data security. Per the Court's suggestion, the Parties adopt a definition of "Party" for purposes of the Source Code Protocol only. In addition, the Parties have revised the Source Code Protocol to make express that it applies to the Parties only.

Respectfully submitted,

/s/ Jonathan H. Lasken
Jonathan H. Lasken
Assistant Chief, Civil Conduct Task Force
United States Department of Justice
450 Fifth Street, NW, Suite 4000
Washington, D.C. 20530

/s/ Liza M. Walsh
Liza M. Walsh
Douglas E. Arpert
WALSH PIZZI O'REILLY FALANGA LLP
Three Gateway Center
100 Mulberry Street, 15th Floor

Telephone: (202) 598-6517
Email: jonathan.lasken@usdoj.gov

VIKAS KHANNA
Acting United States Attorney

/s/ John Basiak
John Basiak
Assistant United States Attorney
U.S. Attorney's Office
402 East State Street, Room 430
Trenton, NJ 08608
Telephone: (609) 989-0563
Email: John.Basiak@usdoj.gov

MATTHEW J. PLATKIN
Attorney General of New Jersey
/s/ Lauren E. Van Driesen
Lauren E. Van Driesen
Deputy Attorney General
Assistant Section Chief of Antitrust
New Jersey Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
Telephone: (609) 696-5271
Lauren.vandriesen@law.njoag.gov

*Attorney for Plaintiff State of New Jersey,
Arizona, California, Washington D.C.,
Connecticut, Indiana, Maine,
Massachusetts, Michigan, Minnesota,
Nevada, New Hampshire, New York, North
Dakota, Oklahoma, Oregon, Tennessee,
Vermont, Washington, and Wisconsin*

Newark, New Jersey 07102
Tel.: (973) 757-1100
Email: lwalsh@walsh.law
Email: darpert@walsh.law

/s/ Craig S. Primis
Craig S. Primis, P.C.
Winn Allen, P.C.
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel.: (202) 389-5000
Email: craig.primis@kirkland.com
Email: winn.allen@kirkland.com

/s/ Devora W. Allon
Devora W. Allon, P.C.
Alexia R. Brancato
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Tel.: (212) 446-4800
Email: devora.allon@kirkland.com

Attorneys for Defendant Apple Inc.

VIKAS KHANNA
Acting United States Attorney

BY: JONATHAN LASKEN
Assistant Chief
Civil Conduct Task Force
United States Department of Justice
Antitrust Division
450 Fifth Street NW, Suite 8600
Washington, DC 20530
Attorney for Plaintiff United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA et al.,

Plaintiff,

v.

APPLE INC.

Defendants.

Case No. 2:24-cv-04055-JXN-LDW

CERTIFICATE OF SERVICE

I hereby certify that the above letter and this Certificate of Service were served upon defendant's counsel, Liza M. Walsh, Esq., Craig S. Primis, Esq., Devora W. Allon, Esq., and K. Winn Allen, Esq., 1301 Pennsylvania Avenue, NW, Washington, D.C., 20004, by CM/ECF on January 28, 2025.

BY: s/ Jonathan H. Lasken
Jonathan H. Lasken
Assistant Chief
Civil Conduct Task force
United States Department of Justice
Antitrust Division
Attorney for Plaintiff United States